



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: August 10, 2021

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
VIA Zoom Link (Hybrid)

1. ROLL CALL

Roll Call showed 9 present. C. Chau (Zoom)

M. Leahy presiding.

C. Nuon requested moment of silence in darkened chamber for Domnang Pin. C. Conway requested moment of silence in darkened chamber for Atty. Kevin Sullivan. M. Leahy requested moment of silence in darkened chamber for Joseph Griffin.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom -

[HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Drinkwater. So voted.

2.2. Recognition - Robert Mills For Years Of Service At Lowell Sun.

In City Council, M. Leahy presented citation to Mr. Mills for his dedicated service to the Lowell Sun. Mr. Mills addressed and thanked the body. M. Leahy presented a proclamation to Susan West Levine (CEO - Lowell Community Health Center) in recognition of National Health Center Week.



3. CITY CLERK

3.1. Minutes Of Arts And Culture SC 27th; City Council Regular Meeting July 27th; Municipal Facilities Joint With Lowell School Committee Facilities SC July 28th; Neighborhoods SC August 3rd; Economic/Downtown Development SC August 3rd, For Acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Mercier. So voted.

4. GENERAL PUBLIC HEARINGS

4.1. Ordinance-Create Business Services Market Manager Position In Career Center Position And Salary.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Nuon, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted.

4.2. Ordinance -Amending Department Of Public Works-Establish Division Of Electricity.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Conway, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier questioned the number of electricians and which department they would be under. Manager Donoghue noted that it was a separate department and that no new revenue was required stating it was being done to improve efficiency. C. Nuon noted that DPW had requested the change.

4.3. Ordinance- Create A Position For ARPA Finance Manager.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Drinkwater, seconded by C. Chau. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier requested reason behind the position. Manager Donoghue commented on the need for the position as federal money flows into the City. C. Rourke questioned salary and what department would house the position. Manager Donoghue noted it was in her department while working closely with finance department. C. Nuon noted scope of work of the employee including being a compliance officer. Manager Donoghue commented on the job description and duties. C. Elliott commented on the length of service. Manager Donoghue noted federal funding pays for the position.

4.4. Ordinance- Create Position For Substance Use Prevention Grant Coordinator In Health Dept.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Samaras, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted.



5. UTILITY PUBLIC HEARING

5.1. TC Systems Inc. (AT&T) (Giomare Group) - Request Installation Of 116 Feet Of Underground Conduit At Intersection Of Industrial And Reiss Avenues.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Elliott, seconded by C. Drinkwater. So voted.

5.2. TC Systems Inc. (AT&T) (Giomare Group) - Request Installation Of 44 Feet Of Underground Conduit At Appleton And Thorndike Streets.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Samaras, seconded by C. Rourke. So voted.

5.3. National Grid - Request To Relay A Gas Main At 1895-1939 Middlesex Street With A 12 Inch Plastic Gas Main In Sidewalk.

In City Council, Given 2nd Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Elliott, seconded by C. Drinkwater. So voted. C. Nuon questioned the length of the project. A National Grid representative noted the project would end in October and it would be done during day.

6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Rourke. So voted.

A) Motion Response - Morey School HVAC – C. Chau noted report and commented on work being done and to be done. Christine McCall (DPD) outlined the project. Katherine Moses (DPD) commented on punch list items that are being addressed and stated that they would provide further updates. C. Chau commented on the energy savings. Ms. Moses noted the operations and that there may be some issues that may arise but can be dealt with swiftly. C. Rourke commented on the chronic problem with overheated gym. Manager Donoghue noted the DPW would provide update.

B) Motion Response - Yard Waste Update – Registered speaker, Sandra McNamara, addressed the Council. Manager Donoghue noted that her concerns would be addressed. C. Elliott commented on the report noted some positive news especially concerning hiring. C. Elliott commented on process to keep parks clean without the services of the vendor. Manager Donoghue noted that the contract will be amended to reflect performance of lack thereof. C. Elliott requested that as much information as possible regarding trash collection be put up on website. C. Rourke questioned park cleaning schedule. Manager Donoghue noted parks are being addressed two times per week and difficulty arises when there are events with many visitors. C. Rourke



suggested adding more barrels to each site. C. Conway noted there was some positive action being done but frustrations continue. C. Mercier commented on issues surrounding Summer Street. C. Chau commented on fines to vendor and how they would be collected. Manager Donoghue noted that fines would be offsets on the contract as well as possible use of their equipment. C. Samaras noted the need to enhance ability to get information out to public. Manager Donoghue noted that use of APP is best source to keep up to date. C. Nuon noted concrete plan to address ongoing issues.

C) Motion Response - Pawtucketville Oil Spill – C. Elliott noted that the substance was not oil but rather a water leak. Manager Donoghue noted that reporting was important so that they could remedy it as quick as possible. C. Rourke noted the quick response to the call.

D) Motion Response - 314 Sanders Ave Tree – C. Nuon noted the concerns of the resident was addressed.

E) Motion Response - Passaconway Memorial Restoration – C. Elliott commented on the work done on the monument.

F) Motion Response - Cameras on Top of City Hall – C. Mercier commented that cameras should be used inside of the building as well for safety. C. Mercier noted the lack of fire suppression in the building and that is a concern. C. Conway questioned how the camera would be monitored. Manager Donoghue noted that they would update them with plan once cameras are installed.

G) Motion Response - Use of CARES Funds for Taxes – C. Elliott noted that funds can be used for households that have needs and that they should work within the regulations to bring relief to tax payers. Manager Donoghue noted that first set of funds has arrived and are expecting remainder next year.

H) Motion Response - Veteran Banners – C. Chau noted there was not a current program and that they are moving to establish one. Eric LaMarche (Veteran Dept.) noted that it could be up and running before next May and it would be planned out with a working group to be established. Manager Donoghue noted that the working group would consist of other departments as well.

I) Motion Response - Leo Roy Garage Mural – C. Drinkwater commented that initial steps have been taken to implement program and that they should move forward with process. Christine McCall (DPD) commented on the funding and proposals for the program.

J) Motion Response - Community Choice Aggregation – Registered speaker, Jay Mason, addressed the Council. C. Drinkwater noted how recent price increases effect savings with the program and that there should be input regarding terms established for new contract. Manager Donoghue noted that specifics could be worked on in subcommittee. Ms. McCall noted that there is time for recommendations on the contract.



Motion by C. Drinkwater, seconded by C. Nuon to refer matter to Technology & Utilities SC. So voted. C. Nuon noted subcommittee discussions will address specifics. Manager Donoghue commented on the efficiency of Lowell's program within the State.

K) Motion Response - Watercraft on the Merrimack River – C. Elliott noted enforcement has increased which has lessened the amount of incidents on the water. C. Mercier noted her prior motions and commented on the amount of organizations on river that monitor safety.

Motion by C. Mercier, seconded by C. Nuon to bundle Items #6.2 to #6.5, inclusively. So voted.

6.2. Communication - Appoint Mary Wanjiru Wambui To Sustainability Council.

In City Council, Read, **Motion** to adopt by C. Mercier, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

6.3. Communication - Appoint AnaCristina Fragoso To Sustainability Council

In City Council, Read, **Motion** to adopt by C. Mercier, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

6.4. Communication - Appoint Winifred Flint To Sustainability Council

In City Council, Read, **Motion** to adopt by C. Mercier, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

6.5. Communication - City Manager Request Out Of State Travel (1) LPD.

In City Council, Read, **Motion** to adopt by C. Mercier, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

7. VOTES FROM THE CITY MANAGER

7.1. Vote- Transfer 85,000 To Cultural Affairs And Special Events

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance- Create Position And Salary SOR-PEC Grant Coordinator In Health Dept.

In City Council, Given 1st Reading, **Motion** to refer to public hearing on August 24, 2021 at 7PM by C. Rourke, seconded by C. Samaras. So voted.

Motion by C. Rourke, seconded by C. Mercier to take Item #11.7 out of order. So voted.



9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Subcommittee Reports:

1. Municipal Facilities SC Joint with Lowell School Committee Facilities SC July 28, 2021.

In City Council, C. Drinkwater noted the attendance and commented on the discussion regarding flooding at Lowell High School; fire suppression systems in City buildings; replacement and repair of shades, windows and screens in schools; update regarding school preparedness; and review of HVAC systems and thermostat replacements. C. Drinkwater noted that the committee approved motion to explore addition of fire suppression systems throughout City buildings. **Motion** to accept the report as a report of progress and adopt motions by C. Drinkwater, seconded by C. Elliott. So voted.

2. Neighborhoods SC August 3, 2021.

In City Council, C. Rourke noted attendance and commented on the discussion regarding rodent infestation in City; addressing trash collection in those areas; and steps taken by Inspectional Services to combat problem. C. Mercier noted that trash pickup and collection must be improved to assist with alleviating the problem. C. Mercier noted that subcommittee adopted motion to request Umass-Lowell provide information to students in that area of the issues and how they may assist. C. Elliott noted problem exists throughout City and the State and identifies need for added inspectors. **Motion** to accept the report as a report of progress and adopt motions by C. Rourke, seconded by C. Mercier. So voted.

3. Economic/Downtown Development SC August 3, 2021.

In City Council, C. Elliott noted attendance and commented on discussion regarding rapid recovery plan; future of downtown; and incentives for improving downtown. C. Elliott noted presentation by DPD that will be available to all regarding the recovery plan. C. Elliott commented on current and future façade programs. C. Elliott noted subcommittee adopted motion to explore feasibility of installing public bathroom downtown. C. Mercier noted some concerns with public restroom downtown. C. Elliott requested Item #11.2 be addressed at this time. No objections. **Motion** to accept the report as a report of progress and adopt motions by C. Elliott, seconded by C. Chau. So voted.

10. PETITIONS

10.1. Misc. - Daniel Daigle Request Installation Of Handicap Parking Sign At 19 Arlington Street From Prior Location Of 40 Arlington Street.

In City Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Rourke, seconded by C. Drinkwater. So voted.



11. CITY COUNCIL - MOTIONS

11.1. C. Elliott - Req. City Council Vote To Submit An Application Under The Community Preservation Act To Provide Funding For Rollie's Farm And Their Work With The Audubon Society To Preserve Property For Open Space.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott noted his motion should be to report on the possibility of submitting application and not vote on matter. No objections noted to amendment.

11.2. C. Elliott - Req. City Mgr. Provide A Report Regarding Possibility Of Providing A Public Bathroom Downtown.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott noted the possibilities as well as the concerns present with the request. C. Conway noted the need for public bathroom must be explored.

11.3. C. Elliott - Req. City Mgr. Request The LRTA Provide Free Bus Service To Polling Locations On Election Day.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott noted that good program would assist with getting the vote out on Election Day. M. Leahy suggested it be for primaries as well.

11.4. C. Elliott - Req. City Mgr. Have CFO Provide A Report Regarding Using American Rescue Plan Funds To Hire An Additional Building Inspector To Address Health Issues.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Elliott noted prior discussion under Neighborhoods SC report.

11.5. C. Mercier - Req. City Mgr. Provide A Report As To How The City Is Handling Eye-Sores In The Neighborhoods; I.e. 20 Starbird St. (Pawtucketville); 318 Andover St. (Belvidere); Mt. Vernon St. (Acre - Former Friends Lumber); And Address Abandoned Vehicles Between Rock And Broadway Streets On Said Property.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier noted that eyesores lessen surrounding property values as they are a blight on the neighborhood. C. Mercier commented on her prior efforts to notify City of blighted properties so that they may obtain information about them. C. Elliott noted that one property is in such disrepair but someone still resides in it. C. Conway commented on the blight in the neighborhood and should be dealt with one at a time.

11.6. C. Mercier - Req. City Mgr. Provide Any New Information Regarding Possible New Professional Baseball Team That Will Plan At LeLacheur Park.



In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier noted prior discussions with possible tenants and just requested update.

11.7. C. Mercier/C. Rourke - Req. City Mgr. Have Police, Back Central Neighborhood Group Leaders, Residents And Business Owners Of The Gorham Street Area Meet To Discuss Issues That Effect The Quality Of Peoples' Lives In Their Neighborhood.

In City Council, no second needed, referred to City Manager. So voted. Registered speaker, Richard Healy, addressed the Council. C. Mercier noted that should be Neighborhoods SC regarding issue and plans to improve. C. Rourke commented on the many issues facing businesses and residents in that area. C. Mercier noted need for added inspectors.

11.8. C. Samaras - Req. City Mgr. Have Proper Departments Clean-Up And Hard Top The Upper And Lower Parking Lots At Shedd Park.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Samaras noted users concerns and the lots are in terrible condition.

11.9. C. Nuon - Req. City Mgr. Have Police Superintendent Increase Police Presence In The Vicinity Of Frye Street, Waite Street And Dudley Court Due To Recent Incidents Of Vandalism.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon commented on LPD report which indicated crime was down generally but not when it comes to vandalism and it helps when residents see something then say something.

11.10. C. Nuon - Req. City Mgr. Provide City Council With A Report Regarding The City's Efforts To Help Homeless Population With Housing And Employment.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Nuon commented on all of the efforts of the City and their partners and requested update on that progress. C. Mercier noted the efforts of the Middlesex Sherriff's Office CO-OP Group.

11.11. C. Nuon - Req. City Mgr. Provide City Council With A Schedule For Street Sweeping As Well As A List Of The Number Of Sweepers Owned By The City.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Nuon commented on the condition of the streets and requested schedule be provided to public. C. Mercier noted the lack of resources with this task. M. Leahy suggested that some State roads be cleaned if part of general area.



11.12. C. Drinkwater - Req. City Mgr. Have Proper Department Work With MassDOT On Ways And Means To Make The Intersection Of 1st Street And Route 110 Safer; Including Addressing Vehicle Speed Of Cars Entering Lowell Via Route 110.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Drinkwater noted this was not a conventional intersection so there is a need to calm traffic and make safer.

11.13. C. Drinkwater - Req. City Mgr. Provide A Report Regarding Work Being Done To Ensure The Readiness Of School Buildings For The Start Of The School Year.

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Drinkwater noted prior discussion under Municipal Facilities SC report which outlined the numerous being done to prepare schools. C. Drinkwater noted the importance of minor maintenance as well.

11.14. C. Drinkwater - Req. City Mgr. Provide A Report Regarding The Costs And Logistics Of A Citywide Mailing To Inform Residents Of Their Rights And Available Resources To Avoid Eviction Or Foreclosure; And Whether Such A Mailing Would Be Eligible Use Of ARPA Funding Provided To The City.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Drinkwater noted the moratorium was extended for short period so there is a need to inform those in need of available resources.

11.15. C. Chau - Req. City Mgr. Investigate And Report On Following Two Issues On School Street: (1) Collapsed Wall At Cemetery Between The Intersection Of Middlesex And Branch Streets; And (2) Collapsed Retaining Wall Along Roadway Near Intersection Of Middlesex Street.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Chau noted reason to include in one motion as issues are in the same area.

11.16. C. Conway - Req. City Mgr. Provide An Update Regarding Covid-19 Virus And The Newest Virus, Delta; Report To Include Our Plan And Strategies For Our Students And Staff With Schools Opening In September.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Conway noted the need to update protocols as there are variants and surges for residents, students and staff at schools.



11.17. C. Conway - Req. City Council Vote To Meet In Executive Session For The Purpose Of Discussing An Extension For The City Manager's Contract.

In City Council, seconded by C. Elliott, defeated per Roll Call vote 2 yeas, 7 nays (C. Chau, C. Drinkwater, M. Leahy, C. Mercier, C. Nuon, C. Rourke, C. Samaras). So voted. C. Conway noted the need to start the process and it is the fiscally prudent approach. C. Conway noted the need to ensure continued leadership and that selection of leaders is a lengthy process. C. Rourke questioned thoughts of the Manager surrounding the request. M. Leahy noted it was too early for that process. C. Mercier questioned the legalities surrounding this approach. C. Mercier questioned if Manager had any discussion regarding same. Manager Donoghue state she has had no discussions and wished to quell rumors regarding position stating she was committed to the position. C. Elliott noted support of the motion noting support of the Manager and the importance of stable leadership as new members come on the Council. C. Samaras noted support of Manager but could not support the motion as it was not the proper time and they should allow the electorate to be heard. C. Chau supported the Manager but timing is poor and that is lack of support for the motion should not be taken as a slight to the Manager. C. Drinkwater lauded the efforts of the Manager and noted this decision should allow for input from any new members. C. Nuon noted full support of the Manager but objected to motion being used as a political weapon. C. Rourke noted the efforts of the Manager speak for themselves and looks forward to further discussion on the matter. Manager Donoghue commented that this was a matter for the Council and noted any conversation she may have should not be wrongly construed as any lack of commitment to position.

11.18. C. Rourke - Req. City Mgr. Have LPD Inform Residents Of What Is Being Done About Illegal Operation Of Dirt Bikes In The City.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Rourke noted there is enforcement but a continued proactive approach is needed.

11.19. M. Leahy - Req. City Mgr. Review Payroll Operations Of The City And School Department To Ensure It Is Operating At 100% Efficiency.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. M. Leahy noted need to continue work with school side.

11.20. M. Leahy - Req. City Mgr. Provide Update Regarding Picking Up Litter Campaign Throughout The City.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. M. Leahy requested update as to program.

11.21. M. Leahy - Req. City Mgr. Update Council Regarding Homelessness Situation In Lowell's Business District.



In City Council, seconded by C. Mercier, referred to City Manager. So voted. M. Leahy noted continued issue that needs attention.

12. ANNOUNCEMENTS

In City Council, **Motion** to suspend rules to discuss election procedures by C. Elliott, seconded by C. Nuon. So voted. C. Elliott noted correspondence just received regarding expanding election polls to eleven. Manager Donoghue stated it will go before Election Commission for approval. Solicitor O'Connor outlined the correspondence noting the addition of three locations. C. Mercier commented on upcoming cars and cans fundraiser event. Manager Donoghue noted the cooling stations opened during the heat wave. C. Rourke noted upcoming ceremonies of the Lowell Fire Department. M. Leahy noted upcoming flag raising for India.

13. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Mercier, seconded by C. Rourke. So voted.

Meeting adjourned at 9:50 PM.

Michael Q. Geary, City Clerk